REMARKS

Claims 99-106 are rejected under 35 U.S.C. §112, second paragraph as being indefinite. Specifically, the Office objects to the use of the term "capable of reacting," and suggests the use of the term "bind" instead. Further, the limitation "ologonucleotide" is objected to. Please note the amendments above, where the term "capable of reacting" has been replaced with the limitation "specifically bind," and the limitation "oligonucleotide" is replaced with "oligopeptide." In view of these claim amendments, Applicant respectfully requests reconsideration and withdrawal of these rejections.

Claims 99-106 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement, citing University of California v. Lilly, for the proposition that a generic claim to human or mammalian when only the rat protein sequence was disclosed did not have written description.

Here, unlike Lilly, the specification recites mouse and human neurturin, with complete nucleotide and peptide sequences of each. Further, the instant specification identifies an assay for testing for function. The instant claims are directed to antibodies that specifically bind to a neurturin polypeptide with a particular structure (at least 65% identity to one of several reference sequences), and having a function of promoting survival of superior cervical ganglion cells or nodose ganglion cells. Thus, Lilly does not apply here, because a representative number of species have been identified, and the genus is further defined by functional limitation. Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claims 99-106 are rejected under 35 U.S.C. §112, first paragraph as failing to comply with the enablement requirement. The Office states: "...the specification, while being enabling for an isolated or purified antibodies which bind neurturin polypeptide with at least 65% identity to the claimed SEQ ID NO: and a specific function of neurturin, does not reasonably provide the full scope of enablement for antibodies claimed without functional claim limitations." Note the amendments above, adding a functional limitation to more clearly identify the polypeptides to which the claimed

antibodies specifically bind, as suggested by the Office. Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claims 99-106 are rejected under 35 U.S.C. §102(e) as being anticipated by Lin et al. (U.S. Patent No. 6,362,319) with evidence of Harlow et al. (Antibodies, 1988). Specifically, the Office alleges that SEQ ID NO:33-41 are fragments of oligopeptides which are identical to the fragments of the GDNF amino acid sequence. Note that SEQ ID NO:33-41 are not recited in the claims as amended. Harlow et al. discuss the use of large vs. small peptides to generate antibodies. Here, the claims are directed to antibodies that specifically bind to neurturin polypeptides, the shortest of which is 100 amino acids. Given the teachings of Harlow et al., it is reasonable to expect to identify antibodies that bind to neurturin, but not to GDNF. Example 12 illustrates the preparation of such antibodies. Lin does not teach neurturin-specific antibodies, and Harlow does not cure that deficit; thus, the Office has failed to put forth a prima facie case of obviousness. Applicant respectfully requests reconsideration and withdrawal of the rejection.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite

prosecution of this application, he is invited to telephone the undersigned at the number provided

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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